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Counsel for Highland Capital Management, L.P.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

HIGHLAND CAPITAL MANAGEMENT FUND
ADVISORS, L.P., et al.,

Defendants.

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Case No. 3:21-cv-00881-X

(Consolidated with 3:21-cv-00880-
X, 3:21-cv-01010-X, 3:21-cv-01378-
X, 3:21-cv-01379-X)

**HIGHLAND CAPITAL MANAGEMENT, L.P.'S OMNIBUS OBJECTION TO
MOTIONS TO STRIKE REPLY AND SUPPORTING EXHIBITS OR,
ALTERNATIVELY, FOR LEAVE TO FILE A SURREPLY**

HCMLP,¹ by and through its undersigned counsel, files this response (the “Response”) in opposition to the motions to strike filed by (i) HMIT (the “HMIT Motion”) [D.I. 194], (ii) the DAF Entities [D.I. 196] (the “DAF Motion”), (iii) Dondero, HCMFA, NPA, HCMS, HCRE, Dugaboy, Strand, and Get Good [D.I. 197] (the “Dondero Motion”), and (iv) Nancy Dondero [D.I. 198] (the “Nancy Motion,” and together with the HMIT Motion, the DAF Motion, and the Dondero Motion, the “Motions”). HCMLP fully incorporates herein by reference its contemporaneously filed *Brief in Support of Highland Capital Management, L.P.’s Omnibus Objection to Motions to Strike Reply and Supporting Exhibits or, Alternatively, for Leave to File a Surreply* (the “Brief”) in opposition to the Motions and respectfully states as follows:

RELIEF REQUESTED

1. By this Response, Highland respectfully requests that the Court enter an order denying the Motions or, alternatively, granting the limited and specific relief set forth more fully in paragraphs 22-24 of the Brief.

2. Pursuant to Rules 7.1(d) and (h) of the *Local Civil Rules* of the United States District Court for the Northern District of Texas, Dallas Division (the “Local Rules”), the Brief is being filed contemporaneously with this Response and is incorporated herein by reference.

PRAYER

WHEREFORE, HCMLP respectfully requests that the Court enter an order (i) denying the Motions, or (ii) alternatively, granting the limited and specific relief set forth in paragraphs 22-24 of the Brief, and (iii) granting HCMLP such other and further relief as the Court deems just and proper.

¹ Capitalized terms used but not defined herein have the meanings given to them below or in *Highland Capital Management, L.P.’s Reply to Objections to Motion to Deem the Dondero Entities Vexatious Litigants and for Related Relief* [D.I. 189] (the “Reply”). HCMLP is concurrently filing its *Appendix in Support of Omnibus Objection to Motions to Strike Reply and Supporting Exhibits or, Alternatively, for Leave to File a Surreply* (the “Appendix”). Citations to the Appendix are notated as “Ex. #, Appx. #.”

Dated: March 4, 2024

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